

# **Department of Correction and Rehabilitation Performance Review**

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Art Wallenstein, Director  
March 24, 2009

# CountyStat Principles

- **Require Data-Driven Performance**
- **Promote Strategic Governance**
- **Increase Government Transparency**
- **Foster a Culture of Accountability**



# Agenda

- **Welcome and Introductions**
- **Performance Update**
- **Special Topic: Per Diem Cost Per Inmate**
- **Wrap-up and Follow-up Items**



# Meeting Goal

- **Determine the impact of DOCR work on headline measures and establish new performance projections**
- **Articulate strategies to control per diem cost per inmate and strategies to safely maximize expenditure recovery**



# Headline Measures

## 1. Number of security incidents

- Zero tolerance incidents – *suicides, jail escapes, inappropriate releases, sexual misconduct/Prison Rape Elimination Act (PREA) incidents*
- Assaults on staff
- Pre-Release escapes
- Staff use of force

## 2. Percent of total bed needs met

## 3. Per diem cost per inmate

## 4. Percent of accreditation standards met

## 5. Percent of prisoners participating in self growth and development programs

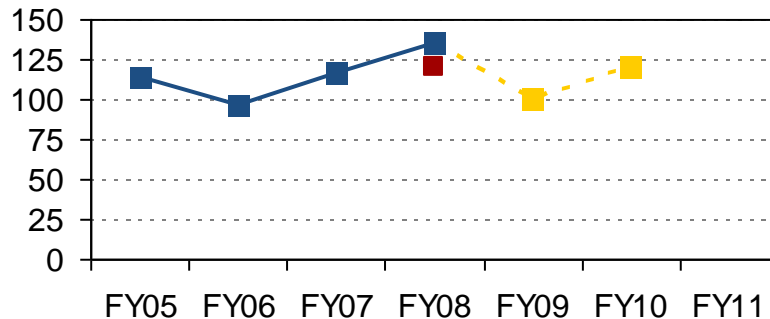
- Pre-Release Center (PRC)
- Montgomery County Correctional Facility (MCCF)

## 6. Recidivism and achievement (*under construction*)

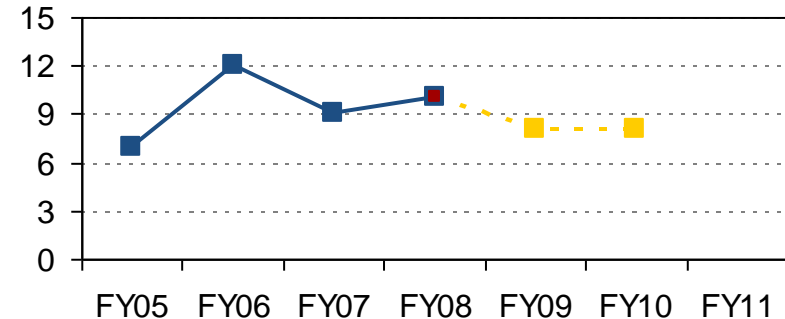


# Headline Measure #1: Security Incidents

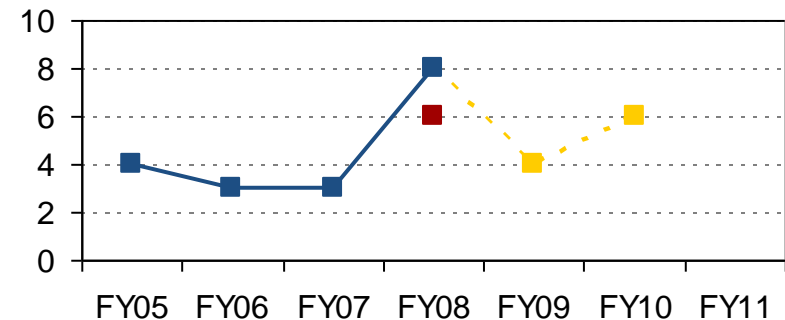
## Number of incidents of staff use of force



## Number of Pre-Release escapes



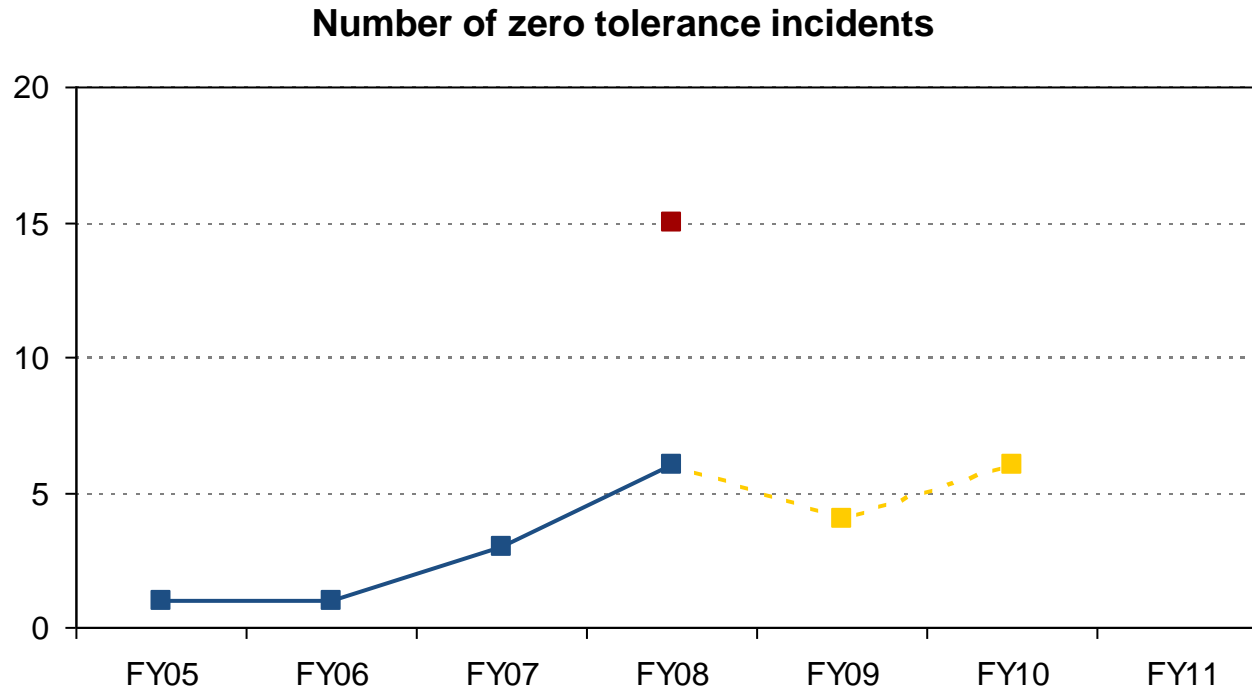
## Number of assaults on staff



Security incidents measures the number of zero-tolerance incidents [types of incidents where DOCR considers even one to be too many], staff use of force, assaults on staff, and Pre-Release escapes. It reflects conditions inside the jails.



# Headline Measure #1: Security Incidents



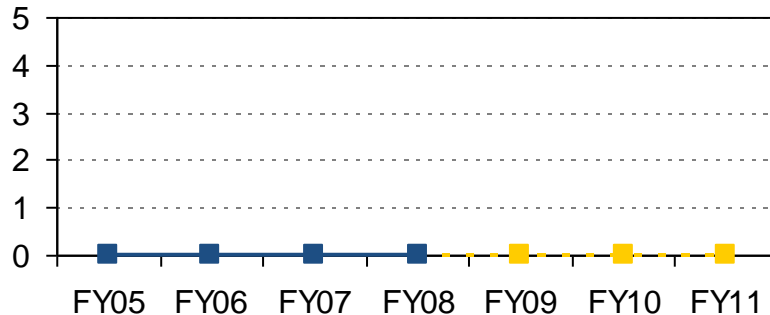
Zero-tolerance incidents include suicides, jail escapes, inappropriate releases, sexual misconduct/Prison Rape Elimination Act (PREA) incidents.



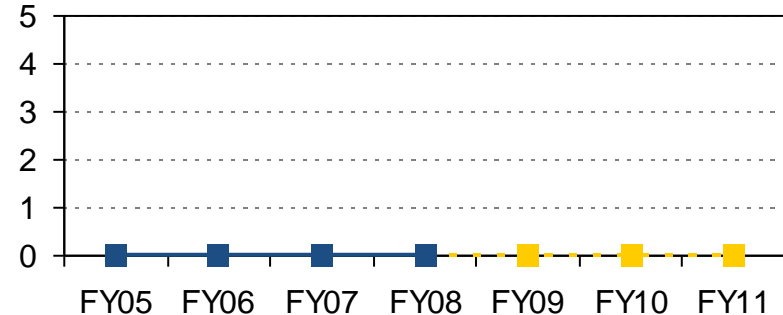
# Headline Measure #1: Security Incidents

## Zero Tolerance Incidents

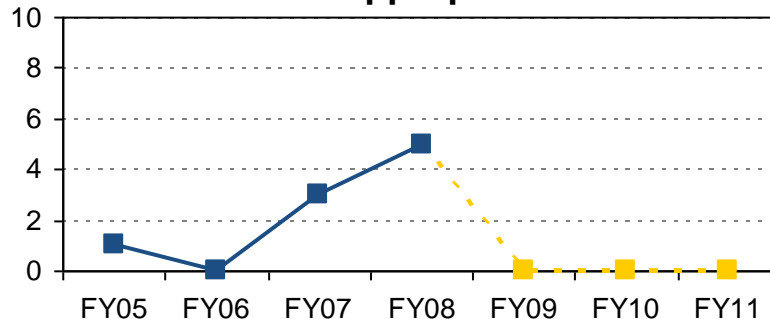
Number of suicides in custody



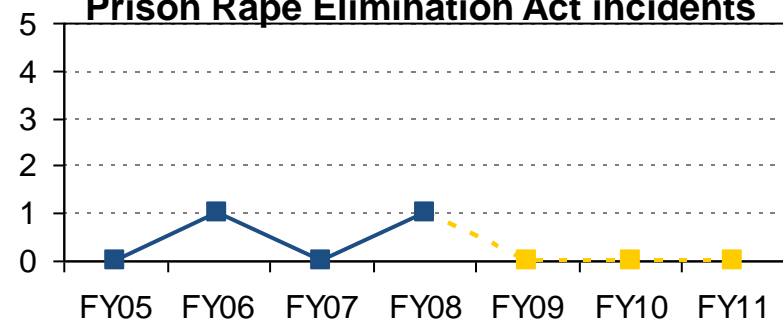
Number of jail escapes



Number of inappropriate releases



Number of sexual misconduct or  
Prison Rape Elimination Act incidents





# Headline Measure #1: Security Incidents

## Factors Influencing Performance

### ■ Contributing Factors

- Attention to the detail and methodology of security
- Turnover was low, but some probationary discharges were implemented to ensure that only fully qualified staff were retained
- DOCR remains tied to standards that create many levels of accountability and intake/classification and supervision to diminish the potential for security incidents
- Restoration of the full Roll Call at MCCF and MCDC contributed significantly to staff training and information sharing across all shifts

### ■ Restricting Factors

- Growth of gang presence throughout the adult correctional system
- Growth in separation requests
- The absence of sufficient bed space options as this population grows



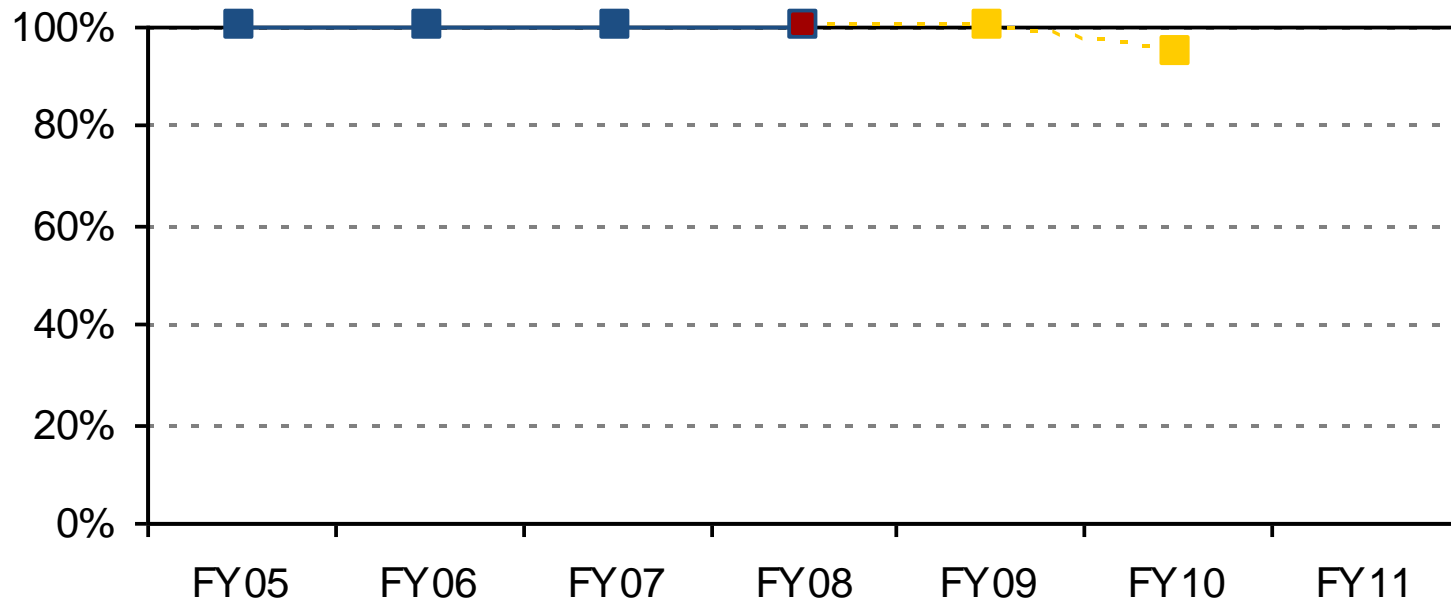
# Headline Measure #1: Security Incidents

## Strategies to Improve Performance

- With only 5 inappropriate releases out of over 23,000 cases, the incoming automated and integrated records system (CRIMS) is not likely to impact this small number. More effort at the Director's level is needed to determine how to get to 0 and stay there over time.
- Continue increased training on the Prison Rape Elimination Act
- Continue strong relationship with SAO that allows prosecution of assaults upon staff to the toughest degree possible, which definitely retards having incidents in the first place
- DOCR is seeking an additional Gang Intelligence Officer through various stimulus and related approaches. One Intelligence Officer can no longer handle internal jail security operations (gang related) and coordination with Police and SAO.



## Headline Measure #2: Percent of Bed Needs Met



Percent of bed needs met equals the percent of inmates that are able to receive a bed assignment before overcrowding measures are taken.



## Headline Measure #2: Percent of Bed Needs Met

### Factors Influencing Performance

#### ■ Contributing Factors

- A very strong Pretrial program, including the new Expediter position
- Reduction in the average length of stay (ALOS) for both pretrial and sentenced
- Growth in the caseload of Drug Court

#### ■ Restricting Factors

- Total Central Processing admissions were over 16,000
- For the first time in history, jail bookings/intakes rose above 10,000
- Growth of gang population and separation requests limits flexibility in making housing decisions

	2006	2007	2008
<b>CPU Admissions</b>	15,899	15,270	16,171
<b>Jail Intakes</b>	9,392	9,312	10,145
<b>Pretrial ALOS</b>	20.9 days	22 days	20.3 days
<b>Sentenced ALOS</b>	109 days	100 days	98.3 days



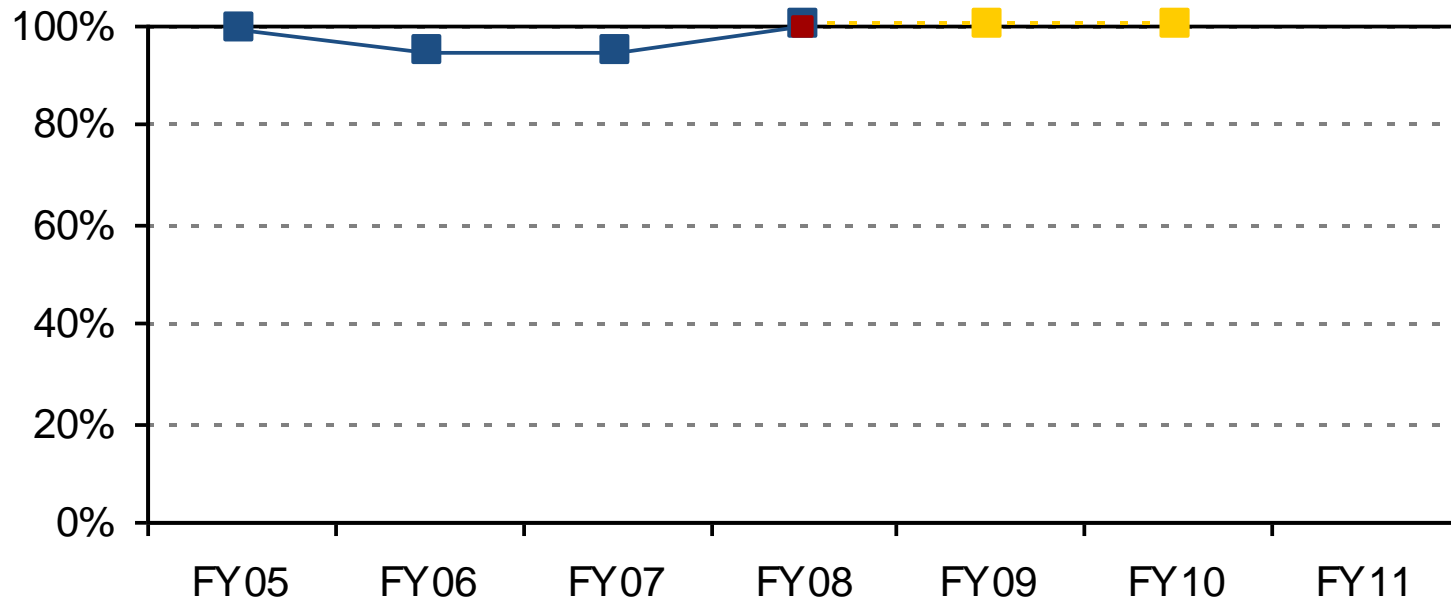
## Headline Measure #2: Percent of Bed Needs Met

### Strategies to Improve Performance

- Maintain and expand the level of Pretrial staff
- Find alternative funding for the 176 community-based Domestic Violence cases previously supported through a federal grant
- Training will focus on case management strategies and motivational interviewing (year 2) and continued efforts to expand collaboration with Courts and the SAO as well as the Office of Public Defense
- Start working to document all possible support linkages with the adult correctional system that exist in the community



## Headline Measure #4: Percent of Accreditation Standards Met



Percent of accreditation standards from the Maryland Commission on Correctional Standards and the Correctional Education Association met.



## Headline Measure #4: Percent of Accreditation Standards Met – Factors Influencing Performance

### ■ Contributing Factors

- Clarity in public and policy sessions that accreditation standards (both mandatory and voluntary) form the core practice methodology of this agency as it relates to residential corrections
- Quality practices regarding offenders also support staff needs, which tends to reinforce good practices

### ■ Restricting Factors

- While staffing has been and will be tighter, there has been no reduction in standards implementation



## **Headline Measure #4: Percent of Accreditation Standards Met – Strategies to Improve Performance**

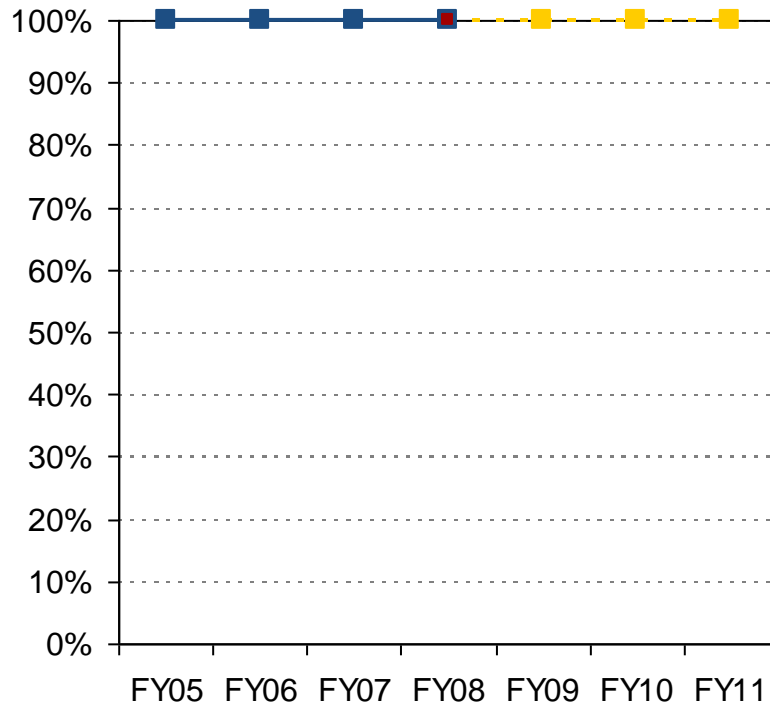
- **DOCR has recommended additional staff to be trained as state auditors or national auditors – their sensitivity expands at home while their leadership skills grow when focused on other jurisdictions**
- **Continue involvement in development of standards**
  - Continue to assist Maryland DLLR Secretary Tom Perez in linking Workforce Development and Adult Education to more fully recognize the value of this approach in expanding employment and creating the potential to reduce return to incarceration
  - Monitor the standards being developed by the federal Prison Rape Elimination Commission



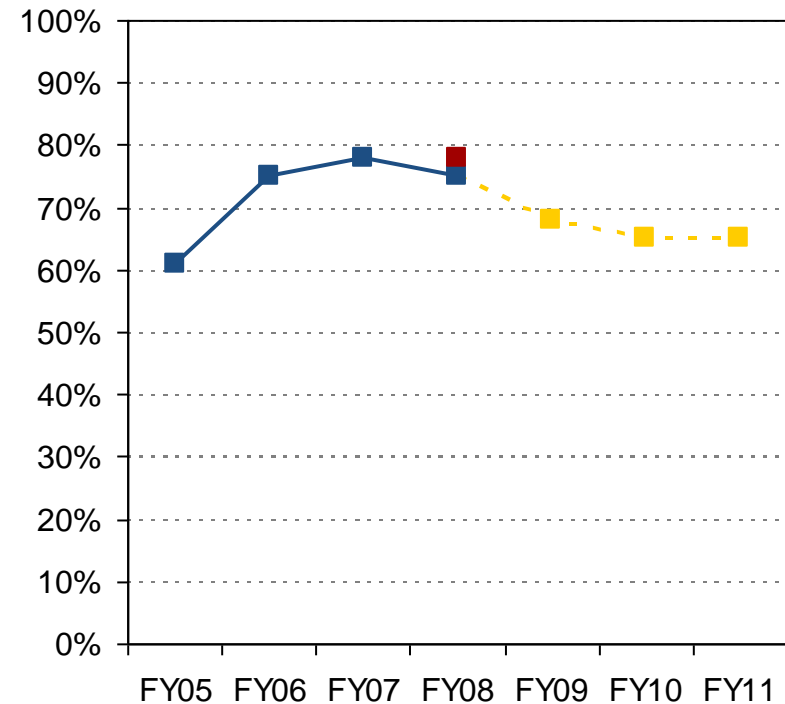


# Headline Measure #5: Percent of Prisoners Participating in Self Growth and Development Programs

PRC



MCCF



# Headline Measure #5: Percent of Prisoners Participating in Self Growth and Development Programs

## Factors influencing performance

### ■ Contributing Factors

- Diversity of programs, including volunteer faith community efforts, diversity and culturally sensitive art programs, hundreds of secular volunteer programs and adult education, and serious and intensive substance abuse, mental health programs and co-occurring programs
- MCGEO recognition of the value of well operating programs

### ■ Restricting Factors

- Reduction in overall supervision of volunteer programs and elimination of programs such as bakery and food management training as a result of County budget challenges



# Headline Measure #5: Percent of Prisoners Participating in Self Growth and Development Programs

## Strategies to improve performance

- This coming year, the goal is not to necessarily improve performance but to limit reductions and sustain current levels of operation in the face of population growth in general and gang growth
- Monitor any behaviors that appear to develop as a function of not offering as many opportunities for inmates to remain busy and involved
- Workforce development and the One Stop funding will be sought through the federal stimulus package and Byrne Grant funds
- Continue collaborative relationship with HHS and DED and review other grants options
- Review grant options under the Second Chance Act that DOCR worked on for over three years in its development and eventual passage and signing into federal law

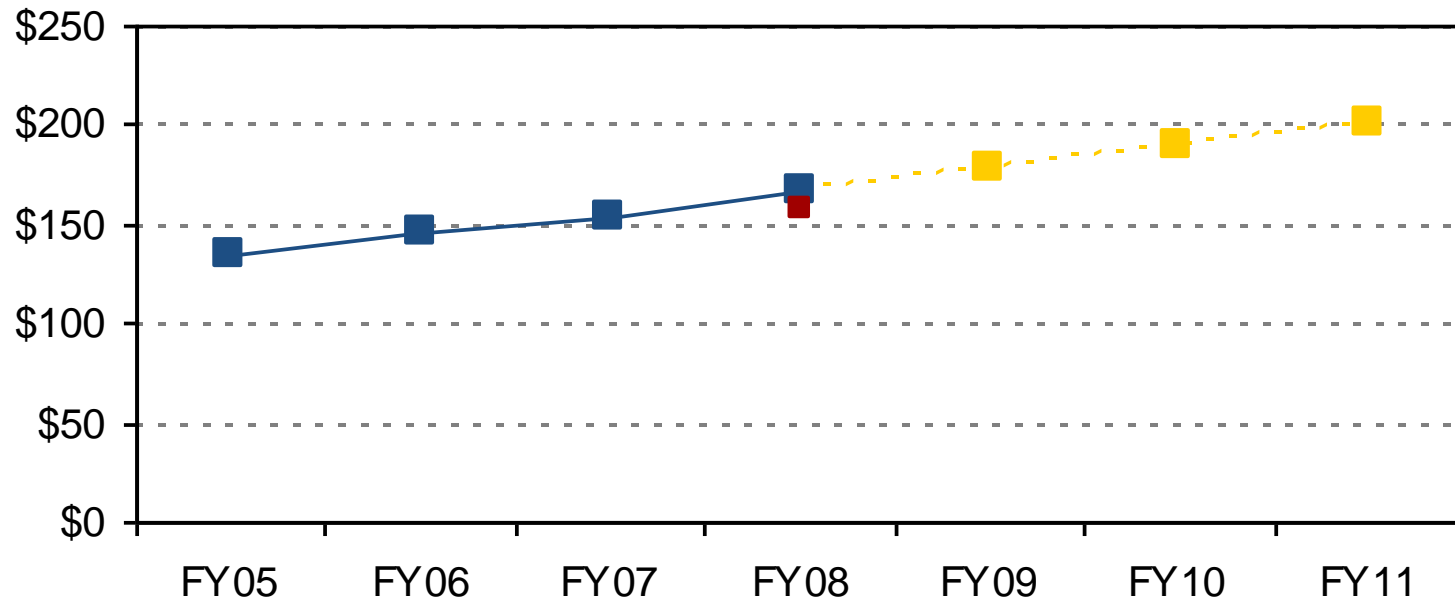


## **Headline Measure #6: Recidivism and Achievement Status of Development of Measure**

- **Preliminary results from the recidivism study should be available by May 1, 2009**
  - Research principals convened March 20 to begin analyzing the data
  - Of the 600 records in the study, 274 have been coded and all of the information on the remaining cases has been gathered (but not entered)
- **The study examines the post-release criminal activity of a randomized sample of 600 sentenced offenders who left DOCR custody in 2003/4.**
  - Divided equally between male and female cases
  - The study codes their criminal history prior to their incarceration, the criminal charge for which they served time, and their post-release court-involvement.
  - The results will present recidivism data by many dimensions include criminal history, sentence length, release facility, etc.



## Headline Measure #3: Per Diem Cost Per Inmate



Per diem cost per inmate = Total expenditures / Total prisoner days  
This is the cost to house one prisoner for one night.



## Headline Measure #3: Per Diem Cost Per Inmate Factors Influencing Performance

- **Contributing Factors**

- Reduction in overtime costs
- Reduction in non-personnel costs

- **Restricting Factors**

- This past year a new pay matrix went into effect for all uniformed correctional staff and this was part of the upward movement of per diem costs
- Reduced number of prisoner days

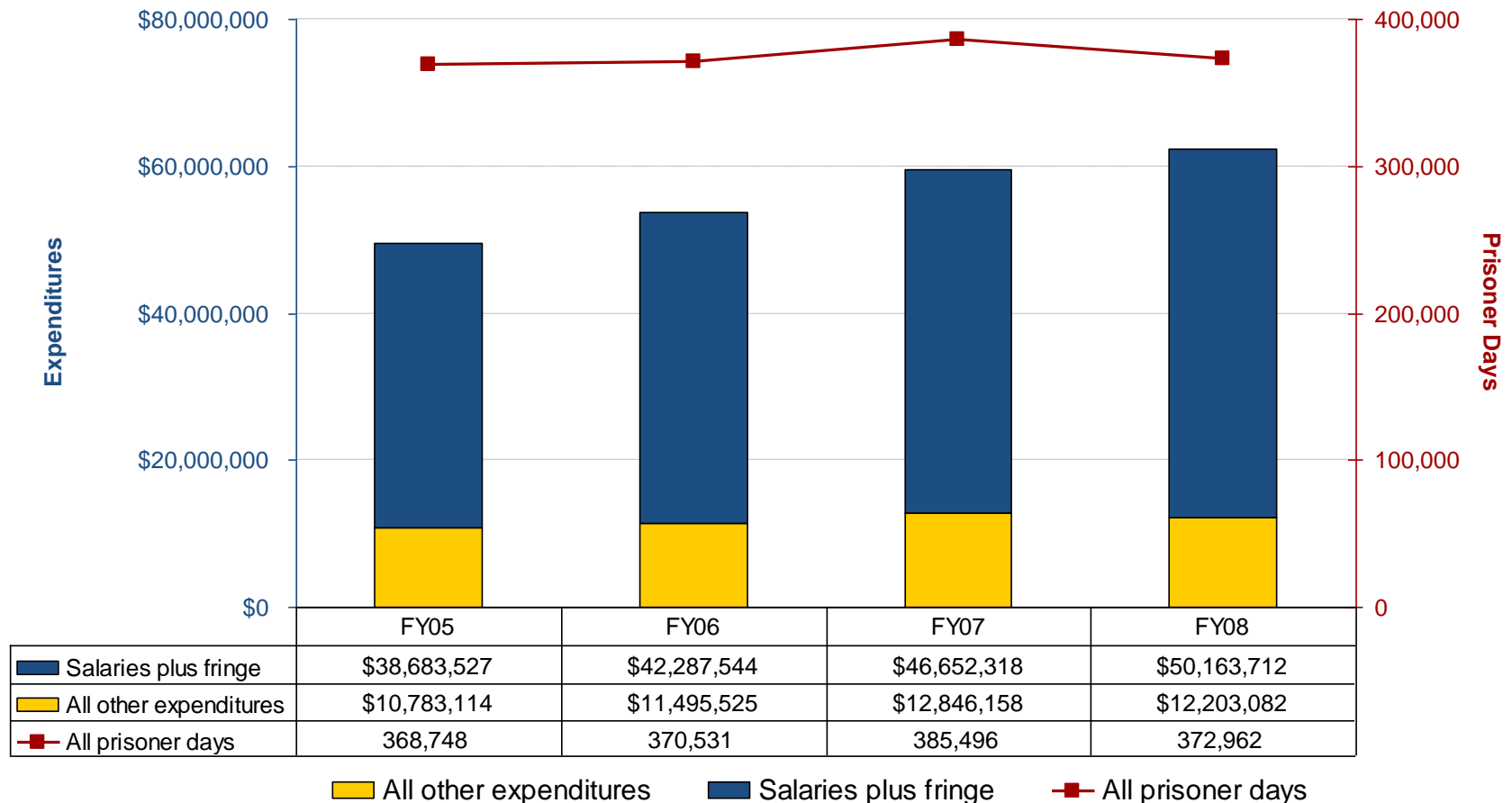


## **Headline Measure #3: Per Diem Cost Per Inmate Strategies to Improve Performance**

- **Continue to engage overtime by focusing on return to work issues covered by injuries on duty and off duty**
- **Continue to seek out all available revenue opportunities**
  - Pretrial revenue development as the program expands
  - Per diem for taking Federal Bureau of Prisons prereleases inmates returning to the Metropolitan DC area
  - State Criminal Alien Assistance Program

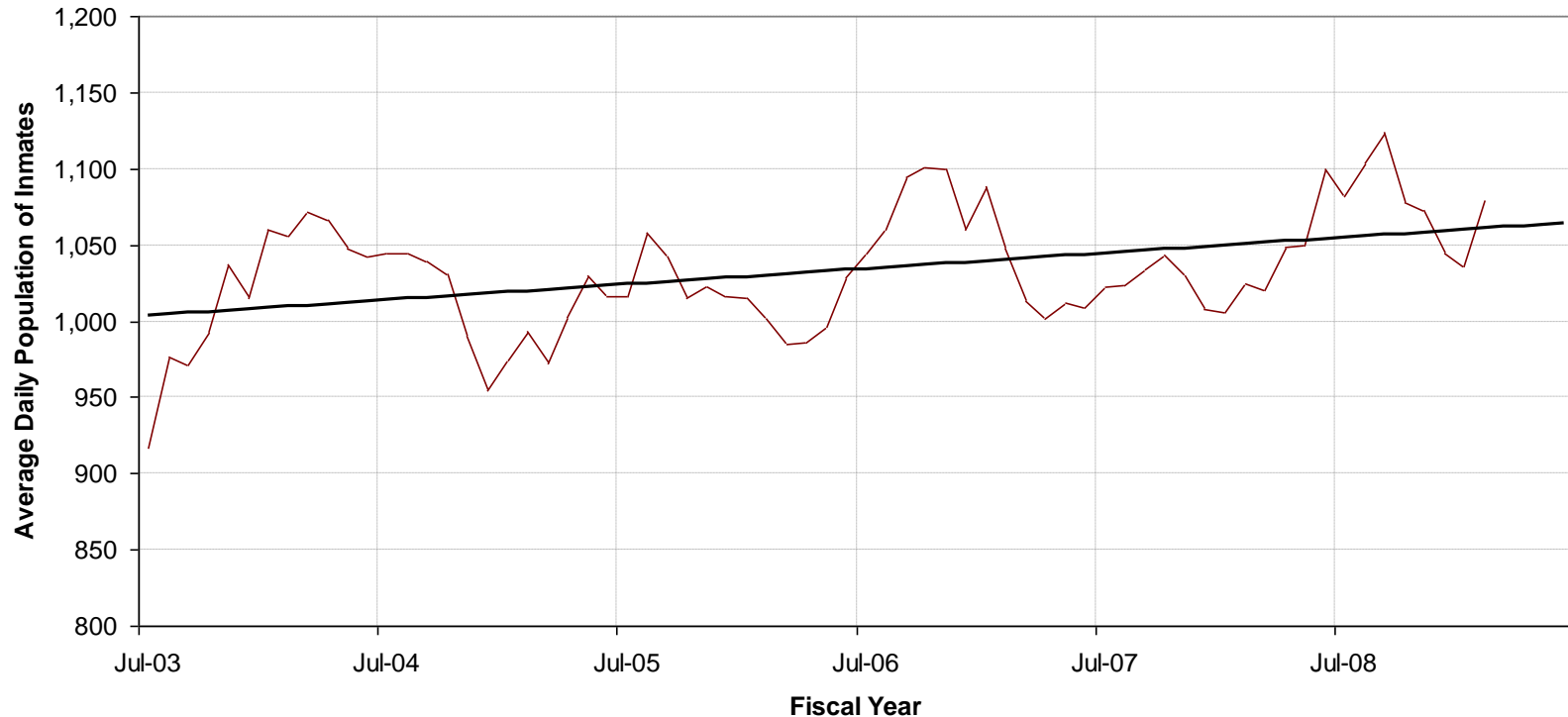


# Headline Measure #3: Per Diem Cost Per Inmate Component Elements





# Growth in Average Daily Population of Inmates



Average daily population (ADP) in FY08 was fairly stable. ADP in FY09 is higher, and therefore total prisoner days in FY09 is expected to be higher than FY08.



## Growth in Personnel Costs, FY05 – FY08

### Items with FY08 Expenditures More Than \$500,000

Item	Actual Expenditures for Relevant DOCR Units			
	FY05	FY06	FY07	FY08
Full-time salaries	\$19,174,055	\$20,372,496	\$22,085,323	\$24,089,919
Overtime*	\$3,349,875	\$3,891,942	\$3,857,695	\$3,595,867
Annual leave	\$1,576,450	\$1,710,632	\$1,820,160	\$2,005,946
Sick leave	\$999,578	\$1,069,891	\$1,229,944	\$1,324,572
Admin leave	\$783,325	\$756,784	\$774,999	\$820,993
Holiday premium	\$535,335	\$562,758	\$561,147	\$617,645
Shift differential	\$475,489	\$475,667	\$492,506	\$514,542



\* In FY08, overtime-lunch was split from the rest of overtime into its own subobject code. For comparison purposes, both are included here.

## Growth in Personnel Costs, FY05 – FY08

### Items with FY08 Expenditures More Than \$500,000

Item	Percent Increase in Actual Expenditures			
	FY05 - FY06	FY06 - FY07	FY07 - FY08	FY05 - FY08
Full-time salaries	6.3%	8.4%	9.1%	25.6%
Overtime*	16.2%	-0.9%	-6.8%	7.3%
Annual leave	8.5%	6.4%	10.2%	27.2%
Sick leave	7.0%	15.0%	7.7%	32.5%
Admin leave	-3.4%	2.4%	5.9%	4.8%
Holiday premium	5.1%	-0.3%	10.1%	15.4%
Shift differential	0.0%	3.5%	4.5%	8.2%



\* In FY08, overtime-lunch was split from the rest of overtime into its own subobject code. For comparison purposes, both are included here.

## Growth in Benefits Costs, FY05 – FY08

Item	Actual Expenditures for Relevant DOCR Units			
	FY05	FY06	FY07	FY08
Full-time salaries	\$19,174,055	\$20,372,496	\$22,085,323	\$24,089,919
Retirement	\$5,090,561	\$5,919,492	\$7,546,676	\$8,289,719
Group Insurance	\$3,551,851	\$3,999,735	\$4,474,045	\$4,680,371
Social Security	\$2,068,270	\$2,221,558	\$2,364,327	\$2,542,081



## Growth in Benefits Costs, FY05 – FY08

Item	Percent Increase in Actual Expenditures			
	FY05 - FY06	FY06 - FY07	FY07 - FY08	FY05 - FY08
Full-time salaries	6.3%	8.4%	9.1%	25.6%
Retirement	16.3%	27.5%	9.8%	62.8%
Group Insurance	12.6%	11.9%	4.6%	31.8%
Social Security	7.4%	6.4%	7.5%	22.9%



## Recovery of Expenditures State Per Diem Reimbursement, FY05 – FY08

	Per Diem Cost Per Inmate			
	FY05	FY06	FY07	FY08
<b>Headline measure</b>	\$134	\$145	\$154	\$167
<b>DOCR submission to the state</b>	\$137	\$143	\$152	\$157
<b>State-approved rate</b>	\$120	\$129	\$141	\$146
Difference between submitted rate and State-approved rate	\$17	\$15	\$11	\$11

Over time, the state-approved reimbursement rate has gotten closer to the DOCR-submitted rate, but it still lags. Expenditures are offset by revenues in DOCR's submitted rate (as per state instructions), which lowers the reimbursement rate further.



# Recovery of Expenditures

## Value of Housing State and Federal Prisoners

- **DOCRC houses relatively few state and federal prisoners**
  - Less than 4% of prisoner days came from state and federal prisoners in FY08, down from 9.5% in FY05.
- **Most expenditures are sunk costs, including personnel**
- **Variable costs include medical services, food and supplies, clothing, and drug screening**

	FY05	FY06	FY07	FY08
<b>Total prisoner days</b>	368,748	370,531	385,496	372,962
<b>State/federal prisoner days</b>	35,149	32,437	22,345	13,953
<b>Total expenditures</b>	\$49,466,639	\$53,783,069	\$59,498,476	\$62,366,794
<b>Variable costs attributable to state/federal prisoners*</b>	\$406,124	\$373,521	\$260,707	\$158,291
<b>Per diem (headline)</b>	\$134	\$145	\$154	\$167
<b>Per diem (local only)</b>	\$147	\$158	\$163	\$173
<b>Total state/federal revenue</b>	\$8,687,585	\$6,122,935	\$4,725,785	\$5,247,198

\* Estimate only



# Tracking Our Progress

- **Meeting Goals:**

- Determine the impact of DOCR work on headline measures and establish new performance expectations and goals
- Articulate strategies to control per diem cost per inmate and strategies to safely maximize expenditure recovery

- **How will we measure success**

- Department meets or exceeds projected performance





# Wrap-Up

- **Follow-Up Items**
- **Performance Plan Updating**

